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FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. 13782 C.M.S.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE COUNTY OF ALAMEDA AND PROLOGIS, L.P. FOR THE SALE OF PROPERTY OWNED BY THE CITY OF OAKLAND AND THE COUNTY, EACH WITH AN UNDIVIDED 50 PERCENT INTEREST, FORMERLY KNOWN AS THE RAIDERS TRAINING FACILITY, LOCATED AT 1150 AND 1220 HARBOR BAY PARKWAY, ALAMEDA, CALIFORNIA, FOR TWENTY-FOUR MILLION DOLLARS (\$24,000,000) CONDITIONED ON A LEASE TO OAKLAND PRO SOCCER LLC OR ITS AFFILIATE, OWNER OF THE OAKLAND ROOTS AND SOUL SOCCER TEAMS; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the real property located at 1150 and 1220 Harbor Bay Parkway, Alameda, California (collectively, the "Property"), consists of the former Oakland Raider's football team headquarters with a two-story, approximately 100,607 square foot, office building built in 1986, located on approximately 5.45 acres (1220 Harbor Bay Parkway), and the former Oakland Raiders football team training facility with an approximately 18,240 square foot, one-story building, several outbuildings, and an expansive grass field located on approximately 11.39-acres (1150 Harbor Bay Parkway); and

WHEREAS, in accordance with Ordinance No. 13631 C.M.S. adopted on December 15, 2020, the Oakland Raiders, a California limited partnership, conveyed title to the Property pursuant to a quitclaim deed recorded on December 24, 2020, which vested an undivided fifty percent (50%) interest in the Property in each of the City and the County and the City and the County entered into a Tenancy in Common Agreement dated as of December 15, 2020 (as amended, the "TIC Agreement"); and

WHEREAS, the TIC Agreement provides a process for the management, maintenance, and disposition of the Property and designated the County as lead cotenant, subject to City Council approval of the disposition of the City's undivided fifty percent (50%) interest in the Property (the "City's Property Interest"); and

WHEREAS, the holding cost of the City's Property Interest not only includes the City's

share of management, maintenance, utility, insurance and other holding costs, but also property taxes because the Property is located outside the City's jurisdiction; and

WHEREAS, on January 12, 2021, the Board of Supervisors of the County adopted Resolution No. R2021-28, which declared the County's undivided fifty percent (50%) interest in the Property as "surplus land" pursuant to Government Code Section 54221(b)(1) of the California Surplus Land Act (Government Code Section 54220 et seq.); and

WHEREAS, on February 2, 2021, the City Council adopted Resolution No. 88507 C.M.S., which declared the City's Property Interest as "surplus land" pursuant to the California Surplus Land Act and the City and County completed the California Surplus Land Act notice process; and

WHEREAS, on December 17, 2021, the City and County entered into a Field and Sports Training Facility License Agreement (as amended) with Oakland Pro Soccer LLC, a California limited liability company ("OPS"), for use of the training facility portion of the Property as a practice facility for its soccer teams, the Oakland Roots men's professional soccer team and the Oakland Soul women's pre-professional soccer team; and

WHEREAS, as lead cotenant under the TIC Agreement, the County prepared to sell the Property at public auction scheduled for July 10, 2023, however, no parties submitted written offers by the posted deadline and the auction was canceled; and

WHEREAS, subsequently the City and County received written purchase offers from three parties for the Property, as described in the Agenda Report for this item; and

WHEREAS, City staff was recently informed that Fédération Internationale de Football Association ("FIFA"), the international governing body for soccer, recently evaluated the Property and concluded that it is a strong candidate to host a participating national team during the 2026 World Cup; and

WHEREAS, City staff has determined that the purchase offer from Prologis, L.P., a Delaware limited partnership ("Prologis"), has the most favorable terms, including a competitive purchase price, all-cash closing not contingent on entitlements or financing, and has additional strategic benefits of preserving OPS' use of the training facility and positioning the Property for use in the 2026 World Cup, as described in the Agenda Report for this item; and

WHEREAS, the proposed sale price to Prologis in the amount of Twenty-Four Million (\$24,000,000) is supported by an appraisal commissioned by the City as the fair market value of the Property; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Administrator is hereby authorized to negotiate and execute a Purchase and Sale Agreement with the County and Prologis for the sale of the Property for the purchase price of Twenty-Four Million Dollars (\$24,000,000) conditioned on a lease with OPS or

its affiliate.

SECTION 2. The City Administrator is further authorized to negotiate and execute the deed conveying the Property and to enter into other agreements and take whatever action is necessary consistent with this Ordinance and its basic purposes.

SECTION 3. The City Administrator is hereby authorized to accept and deposit land sales proceeds in the amount of the Net Proceeds into the General Purpose Fund (1010), Real Estate Organization (85231), Sale of Land Revenue Account (48111), OACCA LRB Coliseum Complex Project (1005208), Coliseum Program (SC12).

SECTION 4. The Purchase and Sale Agreement and any other documents necessary for the sale of the Property shall be approved as to form and legality by the City Attorney's Office and a copy shall be filed with the Office of the City Clerk.

SECTION 5. The City Council hereby finds and determines, on a separate and independent basis, that this action will not result in direct or indirect physical change in the environment and does not in-and-of-itself constitute a "project" pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378. In the alternative, if it is deemed to be a project under CEQA, the common sense exemption (CEQA Guidelines 15061(b)(3)) applies to the project since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 6. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional

SECTION 7. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **FEB 20** 2024

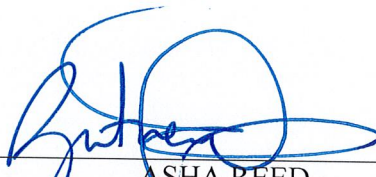
AYES – FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - **8**

NOES **0**
ABSENT **0**

Introduction Date

FEB 06 2024

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

Date of Attestation: _____

2/23/2024

NOTICE AND DIGEST

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE COUNTY OF ALAMEDA AND PROLOGIS, L.P. FOR THE SALE OF PROPERTY OWNED BY THE CITY OF OAKLAND AND THE COUNTY, EACH WITH AN UNDIVIDED 50 PERCENT INTEREST, FORMERLY KNOWN AS THE RAIDERS TRAINING FACILITY, LOCATED AT 1150 AND 1220 HARBOR BAY PARKWAY, ALAMEDA, CALIFORNIA, FOR TWENTY-FOUR MILLION DOLLARS (\$24,000,000) CONDITIONED ON A LEASE TO OAKLAND PRO SOCCER LLC OR ITS AFFILIATE, OWNER OF THE OAKLAND ROOTS AND SOUL SOCCER TEAMS; AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

An Ordinance authorizing the negotiation and execution of a Purchase and Sale Agreement with the County of Alameda ("County") and Prologis, L.P. for the sale of the property owned by the City of Oakland and the County, each with an undivided 50 percent interest, former known as the Oakland Raiders Training Facility, located at 1150 and 1220 Harbor Bay Parkway, Alameda, California, for Twenty-Four Million Dollars (\$24,000,000), conditioned on a lease to Oakland Pro Soccer LLC or its affiliate; and adopting California Environmental Quality Act findings.